

**Jail Standards Board  
January 14, 2005**

The Jail Standards Board met Friday, January 14, 2005, at 9:00 a.m., in lower level conference room A, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. Public notice of the meeting was posted December 28, 2004, in the Lincoln Journal Star.

**CALL TO ORDER - ROLL CALL**

The meeting was called to order at 9:15 a.m, by Vice-Chair Jack Falconer. The following members were **present**: Michael Applegate, Isaac Brown, Jack Falconer for Harold Clarke, Stuart Delacastro, Jackie Hartnett, Willis Luedke arrived at 9:25 a.m., Gary Reiber, and Mike Thurber. **Excused**: Deborah Gilg, Don Fritz for Dennis Hohbein, and Ann O'Connor. Staff present: Denny Macomber, Dan Evans, Kurt Sandquist, Michael Overton and Barbara McCreight. Also in attendance: David Arnold, Hall County Corrections.

**APPROVAL OF MINUTES**

*Motion*

*A motion was made by Hartnett and seconded by Thurber to approve the minutes of the October 15, 2004, Jail Standards Board meeting. Voting in favor of the motion: Applegate, Brown, Hartnett, Reiber, and Thurber. DeLaCastro abstained. Motion carried.*

**STAFF REPORT**

Denny Macomber noted his staff report was included in the mailout and he was available to answer any questions. He announced that Kurt Sandquist had resigned as Jail Inspector after 8 years of service. The position has been posted and the goal is to fill the position by the first part of February.

Luedke arrived at the meeting at 9:25 a.m.

## **ANNUAL INSPECTIONS**

### **Review of Annual Inspections - Facilities Found to be in Full Compliance**

Falconer reported Boone, Butler, Cedar, Colfax, Dakota, Dixon, Hamilton, Madison, Pierce, Platte (2 facilities), Polk, Saunders, Thurston and York County jails and the NE Nebraska Juvenile Services Facility and Norfolk City Jail were inspected this quarter and found to be in full compliance with the Standards.

#### ***Motion***

***A motion was made by Reiber and seconded by Brown to find the jails of Boone County, Butler County, Cedar County, Colfax County, Dakota County, Dixon County, Hamilton County, Madison County, Pierce County, Platte County, Platte County Detention, Polk County, Saunders County, Thurston County and York County jails and the NE Nebraska Juvenile Services Facility and Norfolk City Jail in full compliance with the Standards. Voting in favor of the motion: Applegate, Brown, Delacastro Hartnett, Reiber, and Thurber. Motion carried unanimously.***

### **Review of Annual Inspections - Facilities Found to be in Non-Compliance**

#### **Hall County Jail**

Evans reported the Hall County Jail was inspected October 26, 2004. Documentation was received from the State Fire Marshal's Office indicating the Hall County Jail is out of compliance with Chapter 6, Standards for Jail Facilities - Security and Control, 004.03. They continue to work on their corrective action.

Dave Arnold, Hall County Corrections, described to the Board efforts made by the facility to correct the air flow problems cited by the Fire Marshal. A bid has been let with a meeting planned with the contractors next week. A 60-day completion date has been set.

#### ***Motion***

***A motion was made by Reiber and seconded by Applegate to find the Hall County Jail in full compliance contingent upon confirmation by the Fire Marshal of final completion of the corrective action to meet the life safety codes. Voting in favor of the motion: Applegate, Brown, Delacastro Hartnett, Luedke, Reiber, and Thurber. Motion carried unanimously.***

### **Merrick County Jail**

Sandquist stated the Merrick County Jail was inspected October 28, 2004 and was cited as out of compliance with Chapter 2, Personnel, 004.02B. This requires that the facility administrator to insure that inmates are viewed personally by facility employees often enough to maintain their safekeeping, but in no event less than one time per hour and to document it. They were also cited as out of compliance with Chapter 6, Standards for Jail Facilities - Security and Control, 004.03. He noted the facility is severely overcrowded which impacts the needed staffing levels.

Sandquist reported an inspection of the fire alarm system by the State Fire Marshal is required.

Sandquist had requested submittal of a couple months of documentation indicating that cell checks had been completed according to Standards. To date that documentation has not been received.

#### ***Motion***

***A motion was made by Thurber and seconded by Brown to find the Merrick County Jail out of compliance with Chapter 2, Personnel, 004.02 and with Chapter 6, Standards for Jail Facilities - Security and Control, 004.03. Voting in favor of the motion: Applegate, Brown, Delacastro Hartnett, Luedke, Reiber, and Thurber. Motion carried unanimously.***

### **Seward County Jail**

The Seward County Jail was inspected December 2, 2004. The facility was cited as out of compliance with Chapter 6, Standards for Jail Facilities - Security and Control, 004.03. Sandquist reported that the County Board had earlier denied the request to replace the hood venting in the kitchen. The issue will be reconsidered.

#### ***Motion***

***A motion was made by Reiber and seconded by Hartnett to find the Seward County Jail out of compliance with Chapter 6, Standards for Jail Facilities - Security and Control, 004.03. Voting in favor of the motion: Applegate, Brown, Delacastro Hartnett, Luedke, Reiber and Thurber. Motion carried unanimously.***

## **CORRECTIVE ACTION PLANS**

### **Douglas County Work Release**

Evans reported that the Douglas County Work Release facility is developing a corrective action plan to submit to the Board in April addressing standards related to both operations and the physical plant. Douglas County is considering moving into a new space. No further action was required of the Board.

### **Douglas County Youth Center**

Evans reported that the Douglas County Youth Center's corrective action plan is impacting their daily population. The Board had requested documentation of the daily population count for several months to confirm that numbers were consistently lower than the facility's rated capacity. Once that documentation has been received, it will be brought to the Board. No further action was required of the Board.

### **Dundy County Jail**

Dundy County Jail submitted information verifying completion of their corrective action. A letter of full compliance was sent to the facility.

### **Hall County Jail**

Hall County Jail was reinspected this quarter and found in full compliance today by the Board contingent upon confirmation by the Fire Marshal of completion of their corrective action.

### **Johnson County Jail**

At the Board's October meeting, the Johnson County Jail was found in compliance contingent upon completion the corrective action related to Life Safety Codes. That documentation was received and a letter of full compliance was sent to the facility.

### **Lancaster County Intake and Detention**

The Lancaster County Intake and Detention facility continues to work on their corrective plan to address overcrowding issues. The County approved the corrective action plan which is now in place. They continue to work to reduce the crowding in the jail. A diversion program established has impacted their daily count. A document was distributed which outlined the county's plan to address handling of the mentally ill inmates.

### **Nemaha County Jail**

Evans reported that documentation was received from the Fire Marshal which found the Nemaha County Jail in compliance with the Standards related to life safety codes.

#### ***Motion***

***A motion was made by Applegate and seconded by Reiber to find the Nemaha County Jail in full compliance with the Standards. Voting in favor of the motion: Applegate, Brown, Delacastro Hartnett, Luedke, Reiber and Thurber. Motion carried unanimously.***

### **Otoe County Jail**

At the Board's October meeting, the Otoe County Jail was found in compliance contingent on correcting deficiencies related to Life Safety Codes. Confirmation on completion of all issues has been received with the exception of final confirmation from the Fire Marshal's Office. No further action was required of the Board at this time.

### **Richardson County Jail**

The Richardson County Jail was found out of compliance by the Board in October for standards related to hourly cell checks and Life Safety Codes. Documentation has been received confirming proper cell checks for a 3 ½ month period. Life Safety Code deficiencies have been corrected.

#### ***Motion***

***A motion was made by DeLaCastro and seconded by Reiber to find the Richardson County Jail in full compliance. Voting in favor of the motion: Applegate, Brown, Delacastro Hartnett, Luedke, Reiber and Thurber. Motion carried unanimously.***

### **Saline County**

At the October Board meeting, the Saline County Jail was found in compliance contingent on correcting deficiencies related to Life Safety Codes. Confirmation from the State Fire Marshal has been received. A full compliance letter was sent.

### **Sarpy County**

The Sarpy County Jail was found out of compliance at the October Board meeting. They were cited for standards related to Life Safety Codes and housing inmates in excess of the approved rated capacity. Their bond issue was defeated. They are working with their third consultant and have hired an architect to develop plans for a local jail and work release facility. A corrective action plan will be submitted at the next Board meeting.

## **OTHER BUSINESS**

### **Sarpy County Letter of Intent**

Evans reported that the Sarpy County Board had sent a letter of intent to the Board of their plans to build an addition to their jail facility. This letter allows the Jail Standards to be involved in the planning process. They hope to remodel and expand their law enforcement center.

### **Training Waivers**

Macomber reported requests for training waivers were received from Merrick, Hamilton, Platte, Seward, Brown, York, Otoe and Gage Counties. Staff reviewed the training records and noted 8 had completed training provided by the NE Department of Corrections and the others had completed training out of state that exceeded the requirements of Nebraska. Staff recommended approval of all requests.

#### ***Motion***

*A motion was made by Brown and seconded by DeLaCastro to grant jail management certification in lieu of training to Steven P. Behring, Merrick County; Thea Edmunds, Hamilton County; Candice Baker and Julie Cudaback, Platte County; Kathleen Cady and Ronald Down, Jr., Seward County; Guillermo Mendez, Brown County; Tracy Bugay, York County; Karen Baker, Otoe County; and Rodney D. Miller, Gage County. Voting in favor of the motion: Applegate, Brown, Delacastro Hartnett, Luedke, Reiber, and Thurber. Motion carried unanimously.*

### **Booking and Release Records Submission**

Michael Overton reported on submission of the jail booking and release records. He noted most jails are connected to VINE through JAMIN and electronically submit their admission/release information on each inmate on a standardized form promulgated by the Jail Standards Board. The Commission provided hardware and software for the JAMIN system to connect to VINE. Sixty-three jails are using JAMIN and 6 other facilities received interfaces. Three facilities chose not to use the system and continue to submit their reports on paper: Dodge County Jail, Norfolk City Jail and Superior City Jail. The Superior City Jail was not sure how to use the JAMIN program. The Norfolk City Jail was not interested in VINE since most of their holds are short term ones that end with the prisoner being housed at the Madison County Jail. Dodge County Jail has its own in house system and they were the last jail to implement JAMIN. They had a lot of concerns over the program and are not using the program now. The software modified for their system does not provide readable data for the Commission.

Staff changes in the Jail Standards Division have eliminated the data entry position for entering local jail data. Data submitted electronically is posted to NCJIS. The data enables Jail Standards to form population projections; it is used by VINE, and NCJIS provides the data and mugshots for use by others.

Macomber stated Jail Standards Division is requesting a position which would not include the responsibility of data entry. Since money was put into providing the jails with the necessary equipment to use JAMIN, staff would like to encourage its use by all facilities rather than needing to hire a data entry person for 3 facilities.

The Board discussed having staff pursue and work with these 3 facilities to encourage participation in electronic filing.

The Board discussed whether they had the authority to mandate compliance with electronic filing. The rule refers to a "standardized form", it does not specify that it has to be submitted on paper.

Overton reported on the cost to the facilities for the VINE system and JAMIN. He reported the Commission's contract with VINE was to work with Text & Data to get a full featured jail management program. The contractor and staff worked with the Sheriffs Association to review various jail management programs and to make modifications to the program selected. The Commission provided free hardware, software and helped with interfaces. Part of the issue is the facility's willingness to alter their formats to use NCIC codes. Overton noted in the case of Dodge County, technical staff is lacking. They were offered technical assistance. He stated he was unsure of their technical needs so was unable to offer a projected cost estimate.

Sandquist noted Dodge County has been in and out of compliance with the Standards. The Board needs to be able to look at their data to help determine compliance with the number of inmates housed in the facility. He noted there is administrative resistance to this issue.

Reiber noted JAMIN initially had some bugs in the program. However, they have been worked out and the system is functioning well.

Overton stated the Commission needs to determine the needs of the 3 facilities. The Commission does not have money for jail improvement at this time, however, if minor changes to their systems are required, perhaps the Commission could help with these.

### ***Motion***

***A motion was made by DeLaCastro and seconded by Brown to have the Board give authority to staff to contact the three facilities regarding data reporting.***

*Thurber offered a friendly amendment that was accepted by DeLaCastro and Brown to have Jail Standards staff pursue and assist the three facilities (Norfolk City Jail, Superior City Jail and Dodge County Jail) in electronic recording and transmission of booking and release records. Voting in favor of the motion: Applegate, Brown, Delacastro Hartnett, Luedke, Reiber and Thurber. Motion carried unanimously.*

Brown asked that the next agenda include a discussion of staff's findings on this issue.

### **Dakota County Jail**

Evans reported Dakota County had submitted pre-architectural programming information to Jail Standards. Their \$7 million bond issue passed. They hope to start construction in the spring. They also want to keep their old jail in operation.

### **Rule and Regulation**

The Board discussed the need to have the rules and regulations passed in July, 2001 finalized by the administrative process. Macomber reported that the rules are still at the Attorney General's Office. Macomber stated he would meet January 20<sup>th</sup> with the Policy Research Office to try to get the rules moving through the process.

The Board discussed having Deborah Gilg as chairperson write a letter to the Attorney General regarding the Board's concern regarding these rules.

The Board requested that the status of the rules be placed on the agenda for the next meeting. Applegate suggested the person holding the rules in the Attorney General's Office be invited to the meeting.

### **Red Willow County Jail**

Brown reported that Red Willow County has hired a consultant to evaluate their need for a new jail facility. A meeting will be held January 19<sup>th</sup> on this issue.

Evans stated a letter of intent to build was received by the Division.



## **Adjournment**

There being no further business, the meeting adjourned at 10:30 a.m. Members were invited to join staff at a going away luncheon for Kurt Sandquist at Lazalos, 8<sup>th</sup> and P Streets at 11:30 a.m.

Respectfully submitted,

Barbara McCreight  
Administrative Assistant